

By: O'Day

H.B. No. 3766

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the establishment of a self-determination pilot program
3 by the Department of Aging and Disability Services.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. (a) The Department of Aging and Disability
6 Services shall establish a pilot program to deliver department
7 services currently provided to an individual with a disability
8 through a Section 1915(c) waiver program, as defined by Section
9 531.001, Government Code, through a self-determination model under
10 which the individual exercises control over the development and
11 implementation of the individual's service plan and over the
12 persons delivering the services directly to the individual.

13 (b) The program must allow an eligible individual to
14 exercise control and authority over:

15 (1) the funding for and provision of services to the
16 individual;

17 (2) the identity and type of service provider used to
18 provide the services; and

19 (3) the individual's living arrangements.

20 (c) Not later than January 1, 2009, the Department of Aging
21 and Disability Services shall submit a report to the governor,
22 lieutenant governor, and speaker of the house of representatives
23 regarding:

24 (1) the implementation of the pilot program;

1 (2) recommendations regarding the expansion of the
2 pilot program; and

3 (3) any other relevant information as determined by
4 the department.

5 (d) This section expires September 1, 2009.

6 SECTION 2. If before implementing any provision of this Act
7 a state agency determines that a waiver or authorization from a
8 federal agency is necessary for implementation of that provision,
9 the agency affected by the provision shall request the waiver or
10 authorization and may delay implementing that provision until the
11 waiver or authorization is granted.

12 SECTION 3. This Act takes effect September 1, 2007.